



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 1567-00
16 May 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 May 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMPR-2 of 12 April 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:

1400/3

MMPR-2

12 Apr 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF MR. [REDACTED]
[REDACTED] FORMER MARINE

1. [REDACTED] a former Marine reservist, has requested remedial consideration for promotion to sergeant in 1997 or 1998, the time he served in the Selected Marine Corps Reserve (SMCR). He believes that, had he met the cutting score for promotion to sergeant, it would have enabled him to reenlist into the Marine Corps Reserve at the grade of sergeant.
2. Information in the Marine Corps Total Force System (MCTFS) indicates that [REDACTED] was serving in the Individual Ready Reserve (IRR) during the one of the periods in question (940625 to 970810), which made him ineligible for promotion consideration to sergeant in the SMCR. All promotions for members of the IRR are administered by the Marine Corps Reserve Support Center (MCRSC). From 11 August 1997 to 16 November 1998, Mr. [REDACTED] served in the SMCR. However, there is not enough information in our records to determine if Mr. [REDACTED] was eligible or recommended for promotion to sergeant in the SMCR during that time. Mr. [REDACTED] was discharged from the Marine Corps Reserve on 24 June 1994.
3. Since [REDACTED] records have not changed and he has been discharged from the Marine Corps, he is not eligible for remedial consideration for promotion in the SMCR. We recommend his petition be denied.

A. J. VAN STEENBERGEN

Head, Enlisted Promotions

Promotion Branch

By direction of

The Commandant of the Marine Corps